## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION No. 3:15-cv-306-GCM

LEE S. JOHNSON,	)
Plaintiff,	) ) )
v.	ORDER ORDER
EQUIFAX INFORMATION SERVICES, INC.	) ) )
Defendant.	) ) )

**THIS MATTER** is before the Court on Plaintiff's *pro se* Motion for Entry of Default (Doc. No. 4), Defendant's Response in Opposition (Doc. No. 7), and Plaintiff's Reply (Doc. No. 8). Plaintiff filed this Complaint on July 16, 2015 asserting claims against Defendant for violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* On August 12, Plaintiff showed that service had been completed upon Defendant on July 17, 2015, that Defendant's answer was due on August 7, 2015, and that Defendant had failed to file an answer.

On August 31, 2015, before the Court could rule on Plaintiff's Motion for Entry of Default, Defendant noticed an appearance in this case, answered the Complaint, and filed a response in opposition to Plaintiff's motion. That response acknowledges that Defendant's answer was due on August 7, but asserts that its failure to file an answer was inadvertent. As soon as it discovered the error, Defendant filed an answer. It also notes that this case less than 60 days old and argues that Plaintiff will not be prejudiced by the delay.

The Court has carefully reviewed the parties' arguments and, for the reasons stated in Defendant's response (Doc. No. 7), concludes that Defendant has shown good cause not to have a

default entered against it. Accordingly, Plaintiff's motion will be denied. Pursuant to Local Rule 16.1, the parties are directed to conduct an initial attorney conference within fourteen (14) days of the date of this order.

**THEREFORE, IT IS ORDERED** that Plaintiff's Motion for Entry of Default (Doc. No. 4) is **DENIED**. The Clerk of Court is respectfully directed to send a copy of this order to the Plaintiff.

## SO ORDERED.

Signed: September 10, 2015

Graham C. Mullen

United States District Judge